THE HON'BLE SRI JUSTICE B. PRAKASH RAO

AND

THE HON'BLE DR. JUSTICE G. YETHIRAJULU

WRIT APPEAL NO.1589 OF 2005

Dt:05.09.2005

Between:

The Depot Manager and others.

.. Appellants

and

K.Srinivasa Rao

.. Respondent

THE HON'BLE SRI JUSTICE B. PRAKASH RAO

AND

THE HON'BLE DR. JUSTICE G. YETHIRAJULU

WRIT APPEAL NO.1589 OF 2005

JUDGMENT: (per the Hon'ble Sri Justice B. Prakash Rao)

Heard Ms.B.G.Uma Devi, the learned standing counsel appearing for the appellants-Corporation and Sri G. Vidya Sagar, the learned counsel for the respondent.

This appeal is sought to be filed against the order, dated 11.11.2004, partly allowing W.P.No.4791 of 1998, at the instance of the respondent, where under the order of punishment was modified slightly.

Having regard to the findings as arrived at by the respondent-

management, the learned Single Judge found that treating the entire period of suspension as ‘not on duty’ is not appropriate and therefore the same was modified to the effect that the period of suspension shall be treated as ‘on duty’ but without any back wages, with nominal attendant benefits.

Having regard to the discretion exercised by the learned Single Judge and especially in respect of such punishment, we do not find any grounds warranting any interference with the order under appeal.

The writ appeal is accordingly dismissed.

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(B.PRAKASH RAO.J)

(DR.G.YETHIRAJULU.J)

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Dt.01.09.2005

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